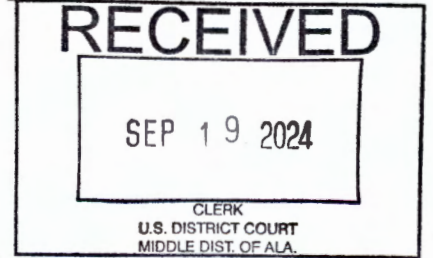


IN THE UNITED STATES DISTRICT COURT FOR THE  
MIDDLE DISTRICT OF ALABAMA  
DIVISION



Carlton L. Avery

Plaintiff(s),

CIVIL ACTION NO.

JURY DEMAND (MARK ONE)

☐ YES ☒ NO

Montgomery County Sheriff's  
Department Office

Defendant(s).

2:24-cv-00594-ECM-SMD

COMPLAINT

1. Plaintiff(s)' address and telephone number: 300 Ridge Water Drive,  
Pike Road, AL 36064

2. Name and address of defendant(s): 115 South Perry Street, Montgomery,  
AL 36104


3. Place of alleged violation of civil rights: Montgomery County + additional  
counties listed in my complaint

4. Date of alleged violation of civil rights: 9/24/2023

5. State the facts on which you base your allegation that your constitutional rights have been violated: See attached complaint

6. Relief requested: See attached complaint  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

Date: 9/19/24\_\_\_\_\_

  
Plaintiff(s) Signature

On or about September 23, 2023, my family father Carlos Avery, mother Dr. Ethel M. Jones, stepmother Susan R. Avery, sister Candace Avery, daughters CMA [REDACTED]/2007 and LCA [REDACTED]/22, and I gathered for breakfast. Shortly after, Erica Nicole Avery stalked and arrived at multiple locations after being previously ordered by another jurisdiction not to be present during a visitation exchange. Locations include Cracker Barrell (9191 Boyd Cooper Parkway, Montgomery, Alabama 36117) and LabCorp (225-A Winton Blount Loop, Montgomery, Alabama 36117). Unbeknownst to my family and I, Erica was tracking my whereabouts with an electronic tracking device as we traveled through Montgomery County to Birmingham, Alabama. Throughout our trip, Candace and I received many alerts on our Apple Iphones alerting us that an AirTag was nearby. The alerts were disregarded as we were in heavy traffic on I-65 and attributed the alert to nearby motorists.

On or about September 24, 2023, my mother, Dr. Ethel M. Jones and sister, Candace C. Avery contacted the Montgomery County Sheriff's Office (hereinafter, "MCSO") at my request. Candace received another alert on her Apple Iphone. We learned that we had been electronically stalked and followed on multiple occasions in the previous weeks.

MCSO Corporal Freeman was dispatched to 300 Ridge Water Drive, Pike Road, Alabama. Once Deputy Freeman arrived, both my mother, sister, and I located an Apple AirTag imbedded and sewn inside of the car seat cushion. Deputy Freeman removed and kept as evidence the Apple AirTag while wearing her bodycam and on video captured by me. The case number **2023-09-03745** was provided for reference.

Following the filing of the report, many meetings were held with members of the MCSO at a private residence at 300 Ridge Water Drive, Pike Road, Alabama 36064 as well at the MCSO Headquarters. as me and my family continued to endure additional harassment and stalking incidents.

Additional reports were filed in multiple jurisdictions to include Jefferson, Shelby, Chilton, Autauga, and Elmore Counties. Law enforcement representatives from each county awaited an investigation to be performed and/or to be contacted by the MCSO. No action is believed to have been taken by MCSO. Additionally, a warrant was issued, and criminal action was pursued by the Jefferson County District Attorney's Office. Due to the nonfeasance and/or malfeasance of the MCSO, the matter was dismissed because no probable cause was established.

The prejudicial actions or inactions of the MCSO have cost my family and I financially, emotionally, and mentally.

Wherefore the Plaintiff requests the following immediate relief from this Honorable Court:

**Emergency Injunctive Relief** to include the MCSO performing an investigation of the allegations aforementioned, pursuant to **18 U.S. Code § 2261A** and/or any relevant state or federal law, providing its findings of any and all previous investigations, and awarding monetary damages in excess of \$75,000.